

## **COMBINED DECLARATION AND POWER OF ATTORNEY**

As the below named inventor(s), we hereby declare that:

### **1. Type of Application**

This declaration is of the following type:

- original
- divisional
- continuation
- continuation in part

### **2. Inventorship Identification**

Our residences, post office addresses and citizenships are as stated below next to our names. We believe we are the original, first and sole/joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## **CRYOGENICALLY TREATED DRILLING AND MINING EQUIPMENT**

### **3. Specification Identification**

The specification of which:

- is attached hereto
- was filed on \_\_\_\_\_ under Serial No. \_\_\_\_\_, executed on even date herewith;
- was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_

### **4. Priority Claim (35 U.S.C. § 119/120)**

We hereby claim the benefit under Title 35, United States Code, § 119/120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112. We acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, which occurred between the filing date of the prior application(s) and the national

or PCT international filing date of this application.

| PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS<br>DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 119/120: |                    |                                       |                                     |                          |
|---|--------------------|---------------------------------------|-------------------------------------|--------------------------|
| U.S. APPLICATIONS   |                    | STATUS (check one)                    |                                     |                          |
| U.S.<br>APPLICATIONS  | U.S. FILING DATE   | PATENTED                              | PENDING                             | ABANDONED                |
| 60/511,502  | October 14, 2003   | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|   |                    | <input type="checkbox"/>              | <input type="checkbox"/>            | <input type="checkbox"/> |
|   |                    | <input type="checkbox"/>              | <input type="checkbox"/>            | <input type="checkbox"/> |
| PCT APPLICATIONS DESIGNATING THE U.S.   |                    |                                       |                                     |                          |
| PCT APPLICATION<br>NUMBER   | PCT FILING<br>DATE | U.S. SERIAL NOS.<br>ASSIGNED (if any) |                                     |                          |
|   |                    |                                       | <input type="checkbox"/>            | <input type="checkbox"/> |
|   |                    |                                       | <input type="checkbox"/>            | <input type="checkbox"/> |
|   |                    |                                       | <input type="checkbox"/>            | <input type="checkbox"/> |

**5. Acknowledgment of Review of Papers and Duty of Candor**

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56, and which is material to the examination of this application; namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

6. Power of Attorney

We hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Wendy K.B. Buskop  
Christian N. Heausler

Reg. No. 32,202  
Reg. No. 50,771

SEND CORRESPONDENCE TO:

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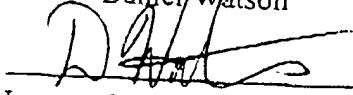
Wendy K. B. Buskop  
(713) 403-7411

7. Declaration

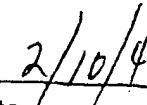
We hereby declare that all statements made herein of my our knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full names of inventors:

1. Daniel Watson



Inventor's signature



Date

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